

NINETEENTH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

NUMBER: 499-737

DIVISION: D

J. ROBERT WOOLEY, AS
ACTING COMMISSIONER OF INSURANCE
FOR THE STATE OF LOUISIANA

VERSUS

AMCARE HEALTH PLANS OF LOUISIANA, INC.

STATE
SEP 13 2011
BY
CLERK OF COURT

FILED:

DEPUTY CLERK

Filed on Behalf of – State of Louisiana – State Pays No Court Costs
La. R.S. 13:4521

MOTION AND INCORPORATED MEMORANDUM
FOR AUTHORITY TO PAY ESTIMATED QUARTERLY
STATE AND FEDERAL TAXES AND FILE REQUIRED RETURNS

NOW INTO COURT through undersigned counsel comes James J. Donelon, Commissioner of Insurance for the State of Louisiana as Liquidator for AmCare Health Plans of Louisiana, Inc. In Liquidation, through the Court-appointed Receiver, Michael Adams ("AmCare-LA"), who represents:

1.

AmCare Health Plans of Louisiana, Inc. in Liquidation ("AmCare-LA") was placed in liquidation by order of this honorable Court on November 12, 2002 (the "Liquidation Order"), and Michael Adams has since been appointed Receiver.

2.

Am Care Health Plans of Louisiana, Inc. ("AmCare") was a health maintenance organization that was placed by order of this honorable Court in rehabilitation on October 27, 2002 and in liquidation on November 12, 2002, and pursuant to the said order of liquidation, the Receiver has been marshaling the assets of the estates and has filed with this honorable Court his report as to the priority and adjustment of the estate claims of the AmCare members, subscribers, providers and creditors, which was previously approved by this Court.

3.

Together with AmCare Health Plans of Texas, Inc. In Receivership ("AmCare-TX") and AmCare Health Plans of Oklahoma, Inc. In Liquidation ("AmCare-OK"), the three AmCare entities all received substantial funds in 2011, in connection with the April 1, 2011 decision of the Louisiana

Supreme Court to uphold this Court's prior judgments in their favor against Health Net, Inc. ("Health Net"), which funds will be available to pay claims of the three AmCare estates

4.

Due to the funds collected from Health Net in connection with the judgment in favor of the three AmCare Receivers, it will be necessary to prepare and file state and federal income tax returns for the year ending December 31, 2011, and to prepare required tax forms and pay estimated quarterly taxes due on or before September 15, 2011.

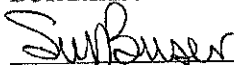
5.

The Receiver seeks authority from this Court to prepare and file all required federal and state tax returns and to pay the required estimated quarterly taxes due on or before September 15, 2011, in order to avoid and/or reduce penalties and interest due on the funds collected from Health Net, which actions are in the best interests of AmCare-LA, its policyholders, members, subscribers, creditors and the public, all subject to the further orders of this Court.

WHEREFORE, the Receiver prays that this honorable Court grant this motion and enter an order authorizing the Receiver to take appropriate action to prepare and file state and federal income tax returns for the year ending December 31, 2011, and to prepare required tax forms and pay estimated quarterly taxes determined by the Receiver to be due on or before September 15, 2011, authorizing the Receiver to expend the funds of AmCare-LA to accomplish same, and for all other appropriate relief.

Respectfully Submitted,

BURGLASS & TANKERSLEY, LLC



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Attorneys for JAMES J. DONELON

Commissioner of Insurance for the State of Louisiana as

Liquidator of AmCare Health Plans of Louisiana, Inc.

CERTIFICATION

I hereby certify that a copy of the above and foregoing has been served upon counsel of record by placing same in the United States mail, postage pre-paid and properly addressed, this 13th day of September, 2011.



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DEPUTY CLERK

ORDER

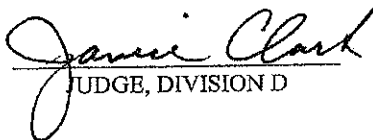
Considering the motion for authority to pay estimated quarterly state and federal taxes and file required returns filed on behalf of James J. Donelon, Commissioner of Insurance for the State of Louisiana as Liquidator for AmCare Health Plans of Louisiana, Inc. In Liquidation, through the Court-appointed Receiver, Michael Adams ("AmCare-LA"), and the Court considering the pleadings filed, and the Court finding that the parties are entitled to the relief granted,

IT IS ORDERED, ADJUDGED AND DECREED that the motion for authority to pay estimated quarterly state and federal taxes and file required returns be and hereby is GRANTED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Receiver be and hereby is authorized to take appropriate action, in his sole discretion, as he deems necessary or advisable, to prepare and file state and federal income tax returns for the year ending December 31, 2011, and to prepare required tax forms and pay estimated quarterly taxes determined by the Receiver to be due on or before September 15, 2011.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Receiver be and hereby is authorized to expend the funds of AmCare-LA and to take appropriate action to accomplish the required tax filings and payments, subject to the direction, control and supervision, and further orders of this honorable Court.

Baton Rouge, Louisiana, this 13 day of September, 2011.


JUDGE, DIVISION D

19TH JUDICIAL DISTRICT
EAST BATON ROUGE PARISH, LA.
FILED

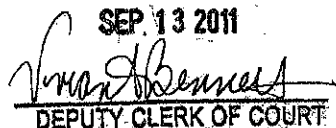
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BY DEPUTY CLERK & RECORDER FOR

DOUG WELBORN
CLERK OF COURT E.B.R. PARISH

CERTIFIED
TRUE COPY

SEP 13 2011


DEPUTY CLERK OF COURT